

## REMARKS

### I. STATUS OF THE CLAIMS

Claims 3-9 and 11-15 were previously pending in this application. In the Office Action, mailed January 25, 2006, the Examiner rejected claims 3-9 and 11-15. Claims 3, 11 and 12 are amended herein. Support for the amended claims can be found, for example, on page 17, line 7 thru page 18, line 25. Therefore, Claims 3-9 and 11-15 are now pending and under consideration.

No new matter is being presented and approval and entry are respectfully requested.

### II. CLAIMS 3-9 AND 11-15 ARE REJECTED UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER SUDO ET AL. (U.S. PATENT 6,223,058) IN VIEW OF THE MOTOROLA TIMEPORT 270C WIRELESS TELEPHONE USER'S MANUAL (COPYRIGHT 2001 MOTOROLA, INC.).

Claims 3, 11 and 12 are amended herein. The newly amended claim 11, for example, recites *a storage medium readable by machine, tangibly embodying an operation content notifying program of instructions executable by the machine to perform a method comprising (a) detecting an operated content from a rotation of an operation device; (b) measuring a rotational volume of said operation device; and (c) notifying of the operation content causing an output in accordance with a measured result by an alarm **if the operation content is set to a maximum or minimum at a predetermined time.***

The Examiner concedes on page 4 of the Office action that Sudo et al. (Sudo) does not teach "when an output content...is set to a maximum or minimum at said predetermined time, said operation content notifying unit notifies by an alarm that an output content ... is a maximum or minimum." Therefore the Examiner relies upon the Motorola Timeport 270C Wireless Telephone User's Manual (Motorola) teach "the 'Alert Detail' feature of the 270c manual allows programming of a ringer type and volume for a scheduled datebook event, which corresponds to the alarm feature disclosed by Sudo." The Examiner further argues "if a datebook entry is set to go off at a predetermined time, an audible ringer will be sounded in accordance with the programmed settings, the setting including a type of ring and the volume."

The amended claims further distinguish the invention from Sudo and Motorola. For example, claim 11 now recites *notifying of the operation content causing an output in accordance with a measured result by an alarm if the operation content is set to a **maximum or minimum at predetermined time***. Therefore, the alarm occurs only if the **operation content** is set to a **maximum** or a **minimum** at a predetermined time. Neither Sudo nor Motorola discloses this feature. Motorola only discloses sounding an alarm based on a predetermined date book entry. Similarly Sudo only sounds an alarm based on a predetermined time entry. Neither Sudo nor Motorola triggers an alarm at a predetermined time based on whether an operational content is set to a maximum or minimum at the predetermined time. Therefore, the present invention is not unpatentable over Sudo in view of Motorola because neither reference teaches all the features of the present invention as recited in the claims.

Although the comments above are directed to claim 11, it is respectfully submitted the comments would be helpful in distinguishing various other claims (i.e. claims 3 and 12) over the cited references. In view of the claim amendments and remarks, withdrawal of the rejection and allowance of claims 3, 11 and 12 is respectfully requested.

Claims 4-9 and 13-15 depend directly or indirectly from claim 3, therefore the comments above may be applied hereto. In view of the claim amendments and remarks, withdrawal of the rejection and allowance of claims 4-9 and 13-15 is respectfully requested.

## VI. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 10/613,991

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

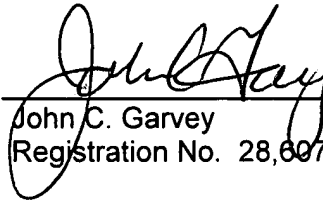
Respectfully submitted,

STAAS & HALSEY LLP

Date:

5-16-06

By:

  
John C. Garvey  
Registration No. 28,607

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501